

### **REMARKS/ARGUMENTS**

This is in response to the final office action dated September 4, 2009. This response includes a Request for Continued Examination and the associated fee.

The applicant has not added any new claims. The applicant has cancelled claims 14-17. Accordingly, no claim fees are applicable as a result of this amendment.

In the office action, the Examiner has rejected claims 9-17 under 35 USC 103(a) over FR2 760 035 (Gilles), US6,415,636 (Fukumoto et al) and US1,652,953 (Patterson).

Claims 9 and 13 specify that the supporting element covers the casing for the key assembly towards the outer side of the supporting framework, and thus also inherently includes that the casing is spaced inwardly from an immediately surrounding portion of the supporting framework. Furthermore, claims 9 and 13 specify that “said key assembly is covered towards said supporting framework by said supporting element and is accessible from outside the motor vehicle through said seat”. Furthermore, claims 9 and 13 specify that “said cylindrical sleeve of said supporting element extends into said through hole of said attachment element and abuts and substantially entirely covers an outwardly facing end of said casing”. A purpose of these features is to make the key assembly less accessible to a would-be thief.

The Examiner has stated that Gilles discloses that the casing and the key unit are spaced inwardly from the outer side of the supporting structure. The applicant respectfully traverses the Examiner’s statement. The applicant is not certain as to how the examiner meant that the casing and key unit are spaced inwardly from the supporting structure, because the term ‘supporting structure’ is not used in the claims. If the Examiner meant the ‘supporting element’ (asserted by the Examiner to be shown at 11 by Gilles): The casing and key unit of Gilles may, at best, be considered to be spaced inwardly from what the Examiner has referred to as the supporting element (ie. item 11) of Gilles. However,

this is only true when the mirror is in its 'use' position as shown in Figure 6 of Gilles. The mirror of Gilles, however, is movable to the position shown in Figure 5, at which point the casing and key unit are not spaced inwardly from the supporting element. Clearly if there is nothing to prevent a would-be thief from flipping open the mirror to expose the key assembly then it is not spaced inwardly from the supporting framework in the sense meant by the claims.

Furthermore, the supporting element 11 of Gilles is not the supporting framework, which is the term used in the present claims. The supporting framework of Gilles is asserted by the Examiner to be item 6. Clearly the key assembly is not spaced inwardly from the supporting framework 6, since the key assembly is essentially flush with the outer surface of the element 16, which itself is outside of the supporting framework 6. If the Examiner means that the key assembly of Gilles is spaced inwardly from the lowermost portion of the supporting framework 6: the applicant has amended the claims to specify that the casing is spaced inwardly from "an immediately surrounding portion of the supporting framework". This is shown in and supported by Figure 4 of the present application.

Clearly, this is not shown by Gilles. Fukumoto et al and Patterson fail to overcome this shortcoming.

Furthermore, as noted above, claims 9 and 13 specify that "said key assembly is covered towards said supporting framework by said supporting element and is accessible from outside the motor vehicle through said seat". The Examiner has stated on page 4 bottom paragraph of the office action that Gilles as modified by Fukumoto et al fail to disclose "said key assembly is covered towards said outer side of said supporting framework by said supporting element and is accessible from outside the motor vehicle through said seat". The Examiner has, however, never stated that Patterson addresses this shortcoming. Upon review of Patterson, Patterson clearly does not teach that "the key assembly is covered towards said supporting framework by the supporting element". The casing of Patterson, shown at 13 clearly extends out of any supporting members, such as member 1 (see Figures 2 and 4 of Patterson), and has a handle 22 mounted to it.

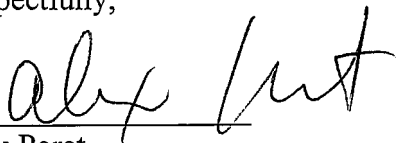
The applicant submits therefore, that Gilles and Fukumoto do not disclose this feature, and that Patterson clearly does not disclose this feature. Accordingly, this feature is not disclosed by any of the cited references.

Additionally, as noted above, the applicant has amended claims 9 and 13 to specify that the "cylindrical sleeve of said supporting element extends into said through hole of said attachment element and abuts and substantially entirely covers an outwardly facing end of said casing". The Examiner has asserted that Fukumoto et al teaches a sleeve that abuts the casing. The applicant submits that Fukumoto et al clearly does not teach a sleeve that abuts and substantially entirely covers an outwardly facing end of said casing, as provided in the claims as amended. By abutting and substantially entirely covering an outwardly facing end of the casing, the casing is not accessible to a would-be thief with a tool intended to capture and turn the casing and key unit together. Neither Patterson, nor Gilles make up for this shortcoming.

The applicant submits that, based on the arguments presented above in relation to claims 9 and 13, these claims are not obvious in view of the cited art and are patentable. Additionally, claims 10-12, which depend from claim 9 are also patentable at least by way of their dependency on claim 9.

The applicant respectfully submits that the application is in condition for allowance and requests that a timely Notice of Allowance be issued.

Respectfully,



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